

Attorney Docket # 5089-2PUS/CIP

Serial No. 09/711,462

Amdt. dated November 3, 2003

Reply to Office Action dated June 3, 2003

REMARKS

In the present application, Claims 1-58 are pending, with Claims 1 and 30 being in independent form. In the Office Action of September 25, 2002, the Examiner indicated that dependent Claims 4, 6, 10-12, 22-29, 33, 35, 39-41, and 51-58 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

In the Office Action dated June 3, 2003, the Examiner rejected all pending claims under 35 U.S.C., first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The Examiner noted that our remarks in the February 25, 2003 response to the September 25, 2002 Office Action appeared to contradict the specification; specifically, the Examiner noted that our remarks stated that each diode was capable of emitting light at 600, 900, *or* 1200 nm, whereas the specification of the present application states, on page 13, that each diode emits light at 600, 900, *and* 1200 nm.

Insofar as our last remarks contradicted the specification, they are rescinded. As the Examiner noted, the specification states that each diode "produces simultaneous light emissions within the three separate wavelengths 600, 900, and 1200 nm" (specification, page 13). The manner in which the three wavelength effect is induced depends upon the type of diode.

In Claim 1, directed to a semiconductor diode, electrical pulses with an amplitude between about 2 and about 25 volts, a pulse length between about 2 and about 200 microseconds, and a frequency between about 200 Hz and about 20,000 Hz, are supplied to the semiconductor diode, thereby causing the three wavelength effect.

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In Claim 30, directed to a laser diode, electrical pulses with an amplitude between about 4 to about 400 volts, a pulse length between about 2 to about 200 nanoseconds, and a frequency between about 200 Hz and about 20,000 Hz, are supplied to the laser diode, thereby causing the three wavelength effect.

Conventionally, IR diodes are stimulated with continuous energy in order to produce continuous output. The voltage is usually between 2.5 and 4 volts and the current between 20-100 mA, and the output of an IR diode, for example, would be around 900 nm. By contrast, when pulsing the energy supply in the manner recited in the independent claims of the present application, the output of the IR diode comprises three wavelengths: 600, 900, and 1200 nm.

Applicant's attorney believes this should clear up any confusion mistakenly caused by the remarks in the last response. If the Examiner would like additional clarification, or any additional information, applicant's attorney requests that the Examiner feel free to contact him at any time (by e-mail, if easier, at tidge@cplplaw.com).

In light of the above remarks, applicant respectfully requests withdrawal of the §112, first paragraph, rejection, and allowance of all pending claims.

Respectfully submitted,

COHEN, PONTANI, LIEBERMAN & PAVANE

By

Teodor Holmberg
Reg. No. 50,140
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

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